

Courtroom drama: How technology plays a part

Even the judge has a laptop in some Ontario courtrooms

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If you have only seen the inside of a courtroom on *Law and Order*, count yourself lucky.

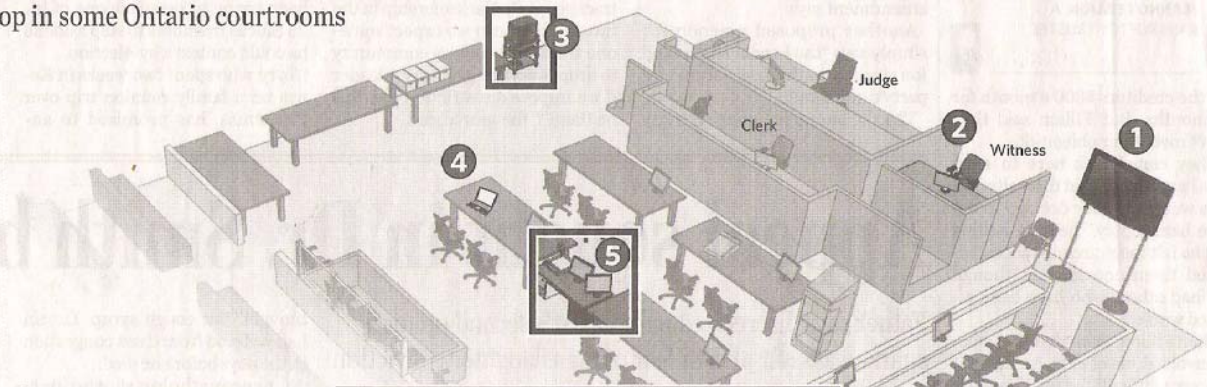
But the television show, while high on drama, is decidedly low-key when it comes to depicting how technology is used in the courtroom.

In Ontario criminal courts, high-tech plays an integral part at court proceedings, where judges now often tap away on laptops.

One of the primary purposes for having technology in courts is to support the presentation of evidence, but it also plays a role in the operation of courts. A judge's request for a playback of the proceedings can be accomplished much more quickly when a digital recorder is being used, as opposed to the old analogue type. And Ontario is gradually implementing the use of digital recording in all courtrooms. Text presented electronically can be referenced much faster than paper evidence.

And in select courtrooms in Brampton and Toronto, a pilot program is allowing Crown attorneys to use high-speed Internet to access legal research tools.

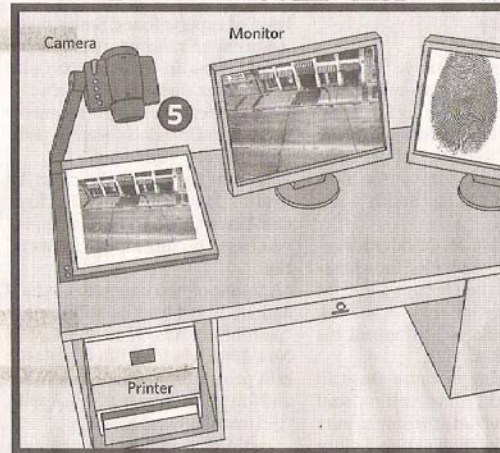
The old metal easel still stands in the corner, but nowadays, it's only used when an electronic copy of the evidence is not available or is too large to fit under the projection camera.



1 Monitors: Allow evidence to be displayed electronically at the discretion of the judge, often replacing paper copies that would have been handed out to all participants.

2 Electronic whiteboard: Allows witnesses to use an electronic pen to draw or make notes on an image that is displayed electronically. The marked-up image can be printed and entered into evidence immediately afterwards with no change to the original. In the past, evidence such as photos or maps would be marked up using pens and markers.

3 Video conferencing: Allows for the remote appearance of parties, witnesses, interpreters or counsel.



4 Laptops: Crown attorneys use their laptops in court mainly for note taking, but recently, in major cases, police have disclosed witness statements and police officers' memo book notes electronically.

5 Document camera: It looks like an overhead projector, but instead of projecting transparencies, the camera displays any object or piece of paper placed underneath it on courtroom monitors, including evidence that has just been printed from the electronic whiteboard.

Other technology:

- Mobile IT Carts: Courts across the province have a portable evidence presentation cart that holds a laptop, document camera and laser printer and can provide video projection and playback, or even amplify audio.
- Vulnerable witness testimony rooms. Witnesses can testify via a closed-circuit video feed from a private room that transmits into the courtroom.

SOURCE: Brendan Crawley, Ministry of the Attorney General

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JUSTICE < **GREATER TORONTO**

Dear Editor:

Your article on courtroom technology (Courtroom drama: How technology plays a part January 6, 2009) missed the boat on a key player in the courtroom: the court reporter – the guardian of the record. Tapes, whether digital or analog, have a long history: inaudibility, loss, malfunction, distortion and indiscernibility. Not only that, but finding that spot to “play back” the evidence is done by a trained Court Reporter, who ensures equipment functionality and prepares a certified transcript later. As well, realtime (voice-to-text) shorthand reporters play a significant role in the courts by providing the evidence, as it is happening, on the screens of those judges and lawyers in the room, allowing for instantaneous access to the record. No digital recording system can do this. The Ontario Government’s proposal to “gradually” increase the use of digital recording is not a technological advancement, but a step backward. A Court Reporter ensures an accurate transcript of the proceedings is available not only during the trial but afterwards, so that each and every user of the system and/or member of the public who requires access to justice can be assured of an accurate transcript of the proceedings. One only need look back to 1992-1993 to see the expensive folly of this “digital recording” idea when the government under the NDP tried this idea – and failed miserably.

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